

Committee on Natural Resources

Rob Bishop Chairman
Markup Memorandum

November 13, 2018

To: All Natural Resources Committee Members

From: Majority Committee Staff— Terry Camp and Holly Baker
Subcommittee on Federal Lands (x67736)

Markup: **H.R. 6602 (Rep. Frank LoBiondo)**, To reauthorize the New Jersey Coastal Heritage Trail Route, and for other purposes.
November 15, 2018, 9:30am; 1324 Longworth House Office Building

Summary of the Bill

H.R. 6602, introduced by Representative Frank LoBiondo (R-NJ-02), would reauthorize National Park Service participation in the management of the New Jersey Coastal Heritage Trail Route through 2025.

Background

The New Jersey Coastal Heritage Trail Route was authorized by Congress in 1988 and runs along the entire coast of New Jersey.¹ The Route was established for public appreciation, education, understanding, and enjoyment of significant natural and cultural sites associated with the coastal area of New Jersey.² Five themes define different aspects of coastal life along the Route: Maritime History, Coastal Habitats, Wildlife Migration, Historic Settlements, and Relaxation and Inspiration.³

The National Park Service (NPS), the State of New Jersey, the Pinelands Commission, and other local organizations partnered to promote recreation and appreciation of New Jersey's coastal areas.⁴ The partners developed a strategic plan which called for an initial implementation period with the NPS and New Jersey cooperatively managing the Route for five years, followed by a diminished role by NPS and an expanded role by New Jersey.⁵ The Secretary of the Interior

¹ [Public Law 100-515](#). 100th Congress. "An Act to Provide for the Establishment of the Coastal Heritage Trail Route in the State of New Jersey, and for other purposes." October 20, 1988.

² Id.

³ "Trail Themes". New Jersey Coastal Heritage Trail Route. National Park Service website.
<https://www.nps.gov/neje/playourvisit/trailthemes.htm>

⁴ "New Jersey Coastal Heritage Trail Route – Description". NYNJ Trail Conference website.
<https://www.nynjtc.org/park/new-jersey-coastal-heritage-trail#dialog-park-description>

⁵ 1993. "Implementation Guide, New Jersey Coastal Heritage Route". Included as "Appendix B" in "2011 Strategic Plan: New Jersey Coastal Heritage Trail Route – Part 2 of 2, Appendices". National Park Service.
<file:///C:/Users/hbaker1/Downloads/NJCHTR%202011%20Strategic%20Plan%20of%20of%20Appendices.pdf>

was given authority to enter into cooperative agreements and provide technical assistance in the establishment and development of the Route. The Route was eligible to receive federal funds for certain projects provided those funds did not exceed 50% of total project costs and were matched with non-federal dollars.⁶

A sunset provision for the Secretary's authority, and thus the NPS's participation in managing the Trail, was enacted in 1994.⁷ Subsequent laws extended this timeframe and authorized increased appropriations in 1999, 2006, and 2008.⁸ The Secretary's authorities related to the Route expired on September 30, 2011.

H.R. 6602 will reauthorize the Secretary of the Interior's authority and the NPS's ability to co-manage the New Jersey Coastal Heritage Trail Route through 2025. The bill removes the unlimited authorization of appropriations for the Route that was enacted in 2006. It also requires the Secretary of the Interior to complete a strategic plan for the Trail.

Senator Robert Menendez (D-NJ) has introduced a companion bill (S. 3291) in the Senate.

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.

Administration Position

The Administration's position is currently unknown.

Effect on Current Law (Ramseyer)

Showing Current Law as Amended by H.R. 6602

[text to be added highlighted in yellow; text to be deleted bracketed and highlighted in blue]

Section 6 of Public Law 100-515 (16 U.S.C. 1244 note)

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

[(a) IN GENERAL.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this Act.]

[(b)] (a) USE OF FUNDS.—

(1) IN GENERAL.—Amounts made available [under subsection (a)] to carry out this Act shall be used only for—

- (A) technical assistance;
- (B) the design and fabrication of interpretive materials, devices, and signs; and
- (C) the preparation of the strategic plan.

⁶ [16 USC 1244 note](#)

⁷ [Public Law 103-243](#)

⁸ [Public Law 106-18](#), [Public Law 109-338](#), [Public Law 110-229](#)

(2) LIMITATIONS.—No funds made available [under subsection (a)] to carry out this Act shall be used for—

(A) operation, repair, or construction costs, except for the costs of constructing interpretative exhibits; or

(B) operation, maintenance, or repair costs for any road or related structure.

(3) COST-SHARING REQUIREMENT.—

(A) FEDERAL SHARE.—The Federal share of any project carried out with amounts made available [under subsection (a)] to carry out this Act—

(i) may not exceed 50 percent of the total project costs; and

(ii) shall be provided on a matching basis.

(B) FORM OF NON-FEDERAL SHARE.—The non-Federal share of carrying out a project with amounts made available [under subsection (a)] to carry out this Act may be in the form of cash, materials, or in-kind services, the value of which shall be determined by the Secretary.

(C) Notwithstanding paragraph (3)(A), funds made available [under subsection (a)] to carry out this Act for the preparation of the strategic plan shall not require a non-Federal match.

[(c)] (b) TERMINATION OF AUTHORITY.—The authorities provided to the Secretary under this Act shall terminate on September 30, [2011] 2025.

Section 703b) of the National Heritage Areas Act of 2006 (Public Law 109-338)

[(b) STRATEGIC PLAN.— (1) IN GENERAL.—Not later than 3 years after the date on which funds are made available, the Secretary of the Interior shall prepare a strategic plan for the New Jersey Coastal Heritage Trail Route.

(2) CONTENTS.—The strategic plan shall describe—

(A) opportunities to increase participation by national and local private and public interests in the planning, development, and administration of the New Jersey Coastal Heritage Trail Route; and

(B) organizational options for sustaining the New Jersey Coastal Heritage Trail Route.]